IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(***Special Original Jurisdiction***)

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

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WP.No.16380 of 2005

Dated 27-7-2005

KG Sugathan @ Sukumar … Petitioner

Versus

The Dist.Collector, Nellore & Anr. … Respondents

Counsel for the Petitioner : Mrs. Nanda

Counsel for Respondents : Govt.Pleader for Revenue

THE HONOURABLE SRI JUSTICE

ELIPE DHARMA RAO

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WRIT PETITION No.16380 OF 2005

O R D E R :

This writ petition is filed seeking to declare the action of the respondents in not considering the petitioners representation dated 22-6-2005 as highly illegal, arbitrary and consequently direct the respondents to consider the same.

The first petitioner is a Malayali by birth, whereas the second petitioner is a Tamilian. They are resident at Sullurpeta, Nellore district for the past thirty years. They are eking their livelihood by running stalls allotted to them by the temple, by name, Sri Nageswaraswamy Devasthanam.

The petitioners submit that the temple pays the tax to the Gram Panchayat in respect of their shops. The first petitioner sells tiffins, tea, cool drinks, cigarettes, beedi etc., whereas the second petitioner sells plantains, cool drinks etc., in the two small stalls allotted to each of them by the said temple near Railway Station Road, Sullurpeta, Nellore.

The first petitioner and second petitioner were allotted two shops each in the year 1984 during the month of February and August.

The petitioners submit that about twenty years back they have extended their shops to an extent of 15 to 20 feet. When the petitioners are out of station, the second respondent under the instructions of some inimical persons high- handedly demolished the said extensions of their shops on 07-6-2005 without any notice to them.

The main grievance of the petitioners is that in view of demolition of their shops they have submitted a representation dated 22-6-2005 to the respondents seeking to restore the extension made by them by way of regularizing the same so as to enable them to carry on their business but so far the respondents have not taken any action on their representation.

Considering the facts and circumstances, without going into the merits or otherwise,

I deem it appropriate to dispose of the writ petition at the admission stage directing the respondents to consider and dispose of the representation dated 22-6-2005 submitted by the petitioners and pass appropriate orders on merits and in accordance with law within eight weeks from the date of receipt of a copy of the order after affording reasonable opportunity of hearing the petitioners.

With the above direction, the writ petition is disposed of at the admission stage. No costs.

JULY 27th, 2005. ----------

I S L. ELIPE DHARMA RAO, J.

To

1. The Dist. Collector, Nellore district.
2. The Mandal Revenue Officer, Sullurpet Mandal, Nellore district.
3. Two CCs to Govt.Pleader for Revenue, High Court Buildings,
   High Court of AP Hyderabad (OUT).
4. One CC to Mrs. S.Nanda, (4912), Counsel for the
   Petitioners.

6. Two CD copies.